

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

KATHLEEN KITTERMAN, ANNA CRONIN,
CORRIE BALL, MARVIN BALL,
MARGARET BROGAN and EVAN JONES,

Plaintiffs,

v.

Case No. 2:12cv146

CLAUDIO TOVAR-GUZMAN,
FORTINO GARCIA AND SONS HARVESTING, INC.,
KUZZENS, INC., d/b/a LIPMAN,
LFC AGRICULTURAL SERVICES, INC., d/b/a LIPMAN
and LFC ENTERPRISES, INC., d/b/a LIPMAN,

Defendants,

LFC AGRICULTURAL SERVICES, INC.'S
SUPPLEMENTAL ANSWERS TO PLAINTIFFS' INTERROGATORIES

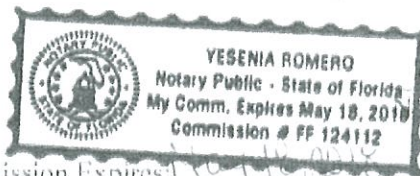
The undersigned states that upon information and belief, the following supplemental
answers to interrogatories are true and correct.

LFC AGRICULTURAL SERVICES, INC.

By [Signature]

STATE OF Florida
CITY OF Immokalee, to-wit:

Subscribed and sworn to before me this 28th day of August, 2014.



My Commission Expires: May 18, 2018

[Signature]
Notary Public

EXHIBIT

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of August, 2014, LFC Agricultural Services, Inc.'s Supplemental Answers to Interrogatories were e-mailed and mailed first-class, postage prepaid to:

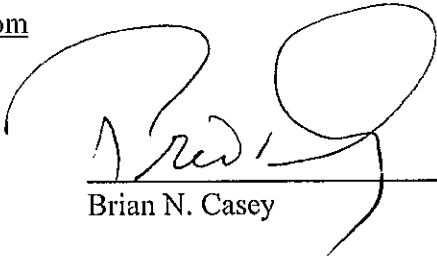
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Brian N. Casey

1. Identify each person who participated in responding to these interrogatories or supplied information with respect to the preparation of response to these interrogatories, stating whether each such person acquired such information, or, if not, the basis for such person's participation or involvement.

OBJECTION: This interrogatory is objected to on the grounds that it exceeds the discovery scope and limits set forth in Federal Rule of Civil Procedure 26(b)(1). The Rule permits discovery of the identity and location of persons who know of any discoverable matter but does not require a party to otherwise identify persons who participated in responding to or preparing the responses to interrogatories nor does it require an explanation of the reason for any particular person's participation in responding to and preparing answers to interrogatories.

ANSWER: Maria Jimenez, Safety Compliance Manager, 315 East Newmarket Road, Immokalee, Florida 34142. Ms. Jimenez gathered the information to respond to these interrogatories. See previously served objection.

SUPPLEMENTAL ANSWER: Maria Jimenez, Safety Compliance Manager, 315 East Newmarket Road, Immokalee, Florida 34142. Ms. Jimenez gathered the information to respond to these interrogatories.

2. From June 2010 until present, identify all officers and directors of LFC Agricultural Services, Inc., identifying whether and at what time they are/were also officers and directors of LFC Enterprises, Inc. and/or Kuzzens, Inc.

OBJECTION: This interrogatory is objected to on the grounds that it exceeds the

discovery scope and limits set forth in Federal Rule of Civil Procedure 26(b)(1) which provides for discovery of the identity and location of persons who know of any discoverable matter. The interrogatory does not, however, seek the identity and location of persons who know of any discoverable matter. Instead, it seeks a list of officers and directors of LFC Agricultural Services, Inc., and information about those officers and directors, regardless of whether those officers and directors know of any discoverable matter. Accordingly, the interrogatory exceeds the permitted discovery scope and limits. In a proper case, where the identity of all officers and directors of a company are relevant to a claim or defense of a party, such an interrogatory may be within the discovery scope and limits, however, in this case, plaintiffs' case against LFC Agricultural Services, Inc., is that it is liable under the doctrine of *respondeat superior* for the negligence of Claudio Tovar-Guzman in driving a bus. The identify of all officers and directors of LFC Agricultural Services, Inc., is not relevant to that claim.

ANSWER: See previously served objection.

SUPPLEMENTAL ANSWER: CEO-Larry Lipman-Retired 9-2010; CEO-Kent Shoemaker; CFO-Toby Purse; Max Press. There are no directors.
Kuzzens Officers - Kent Shoemaker, President; Gerry Odell, Vice-President, Toby Purse, Vice-President.

3. In its 2011 consolidated tax return, LFC Enterprises, Inc. claims a new hire retention credit for 252 retained workers (identified as retained work No. 1 through 252). Of those 252 retained workers, identify which ones were employed by LFC Agricultural Services, Inc. during the year 2011 and whether they were migrant agricultural workers.

OBJECTION: Federal Rule of Civil Procedure 26(b)(1) permits parties to obtain

discovery regarding any non-privileged matter that is relevant to any parties' claim or defense. This interrogatory is objected to on the grounds that the information it seeks exceeds the scope and limits of discovery set forth in the Rule. It seeks the identity of workers for whom a tax credit was obtained which is not relevant to a claim or defense of a party. Plaintiffs' claim is that LFC Agricultural Services, Inc. has *respondeat superior* liability for the negligent operation of a bus by Claudio Tovar-Guzman. The identity of all employees on a tax return for whom a tax credit was taken, and the nature of their work, is not relevant to plaintiffs' claim.

ANSWER: See previously served objection.

SUPPLEMENTAL ANSWER: Of the 252 workers identified on the tax return referred to in this interrogatory, the attached list identifies those workers who were employed by LFC Agricultural Services, Inc. Each worker was a migrant agricultural worker.

4. Identify all person(s) whom you believe have or may have knowledge of any facts pertaining to the circumstances of the collision or otherwise relating to the accident, including how the accident occurred, the person on the bus at the time of the collision and their employment status, damage to the bus, or other facts arising out of, or in connection with the accident, for each person so identified, stat the substance and nature of the relevant knowledge you believe that person has and why you believe such relevant knowledge is present.

OBJECTION: Federal Rule of Civil Procedure 26(b)(1) provides for the discovery of the identity and location of persons who know of any discoverable matter. This interrogatory is objected to because it goes beyond the scope and limits set forth in the Rule as it not only asks for the identity and location of persons who know any discoverable matter, but asks that the substance of their knowledge be provided as well as the responding parties' beliefs as to why

each person possesses such knowledge. With the identity and location of persons with discoverable knowledge, a party can contact those persons, learn the substance and nature of their knowledge, and the source of it. This defendant does not believe the Rules require it to inform the other party as to what everyone with discoverable knowledge knows and therefore objects to the interrogatory.

ANSWER: No agent, servant or employee of LFC Agricultural Services, Inc., was present at the time of the accident. LFC Agricultural Services, Inc. presumes that the plaintiffs and all persons identified in the police accident report may have some knowledge of the facts pertaining to the circumstances of the collision, including how the accident occurred, the persons on the bus at the time of the collision and their employment status, damage to the bus, or other facts arising out of, or in connection with the accident. Also, see previously served objection.

SUPPLEMENTAL ANSWER: No agent, servant or employee of LFC Agricultural Services, Inc., was present at the time of the accident. LFC Agricultural Services, Inc. presumes that the plaintiffs and all persons identified in the police accident report may have some knowledge of the facts pertaining to the circumstances of the collision, including how the accident occurred, the persons on the bus at the time of the collision and their employment status, damage to the bus, or other facts arising out of, or in connection with the accident.

5. In response to paragraph 11 of the Third Amended Complaint, you denied “that LFC Agricultural Services, Inc., acts only as a payroll service.” Please explain the various services LFC Ag performs for Kuzzens, Inc. and LFC Enterprises, Inc., or other entities, identifying the costs if charges either LFC Enterprises, Kuzzens or other entities for each services and the method by which the charges are paid.

OBJECTION: This interrogatory is objected to on the grounds that the costs charged by LFC Agricultural Services, Inc. for its services are not relevant to a claim or defense of a party. It therefore objects to providing information about how much it charges for its services when the amount of its charges are irrelevant to plaintiffs' claim.

ANSWER: LFC Agricultural Services, Inc. acts as an employer and as a payroll service. See previously served objection.

SUPPLEMENTAL ANSWER: LFC Agricultural Services, Inc. acts as an employer and as a payroll service. It does not bill for its payroll service.

13. Please identify by name any and all corporate records and/or documents detailing the procedures for ensuring LFC Enterprises and its affiliated businesses remain separate and distinct corporate entities, how they are separate entities, whether or not each keeps separate corporate records, and the last time an audit (external and/or internal) was performed by or on behalf of any entity so described.

OBJECTION: Federal Rule of Civil Procedure 26(b)(1) permits parties to obtain discovery regarding any non-privileged matter that is relevant to any parties' claim or defense. Plaintiffs' claim against LFC Agricultural Services, Inc., is that it is liable under the doctrine of *respondeat superior* for the negligence of Claudio Tovar-Guzman in driving a bus and causing an accident. The corporate records, in general, of LFC Agricultural Services, Inc., are not relevant to plaintiff's claim. Records such as requested in this interrogatory detailing procedures for distinct corporate entities and audits are not relevant to plaintiff's claim.

ANSWER: See previously served objection.

SUPPLEMENTAL ANSWER: There are no corporate records and/or documents which

detail the procedures for ensuring LFC Enterprises and its affiliated businesses remain separate and distinct corporate entities, and how they are separate entities, and whether or not they each keep separate corporate records, which they do. The last phrase of the interrogatory is unclear as it is not clear whether it is asking for corporate records and/or documents detailing the procedures for ensuring the last time an audit was performed or whether it is asking for the date of the last time an audit was performed by or on behalf of any entity so described. It is further unclear as it does not describe any entity and therefore the defendant does not know how to answer the last part of this interrogatory. LFC Enterprises' financial statements, however, are generally audited annually.

LFC Agricultural Services, Inc

Hire Act Tax Credit

Emp#	Co#	EmpName	443319 62	JAVIER MEZA
000882	62	ABEL SOTELO	443322 62	GABRIEL NAVA
001603	62	GILBERTO RAMIREZ	443338 62	CESAR MARTINEZ
002072	62	MARIELA CHAVEZ	443339 62	DEMETRIO RAMIREZ
002091	62	BLANCA GOMEZ	443441 62	CORNELIO SALVADOR
002380	62	FLORIBERTA ROBLERO	481837 62	ROMEO ABURTO
002472	62	RIGO LUGO	482058 62	JOSE OXLAI
002473	62	EDUARDO PEREZ	482643 62	DIEGO US
002475	62	JOSE QUEBRADO	483236 62	CLEMENTE SANCHEZ
002477	62	ARMANDO PEREZ	483241 62	ISRAEL NAJERA
340080	62	DIEGO IXCHACHAL	483259 62	JOSE LUIS GONZALEZ
340082	62	GABRIEL SUAREZ	483260 62	ALVARO CASTILLO
340118	62	GUALBERTO MEDINA	483285 62	ROMERO MARTIRES
340165	62	PHANELY BELIZAIRE	483295 62	JOSE REYES
340167	62	DANIEL GUARCAX	483304 62	SELINA GARCIA
340176	62	ISAAC GUTIERREZ	483305 62	TIOFILO SANTIAGO
340190	62	MARIBEL BERDUGO	483309 62	ANTONIO PEREZ
340193	62	RONALDO ESPINOZA	483318 62	JOSE RAMIREZ
340199	62	ABNER IXCOY	483320 62	ZOILA PEREZ
340202	62	LUCIENNE CHARLES	483325 62	ALBERTO MEJIA
340211	62	OSCAR GARCIA	483398 62	GREGORIA LOPEZ
340264	62	FEDELINE HYACINTHE	492691 62	ALICIA MONJARAS
401988	62	FABIAN RAMIREZ	492694 62	ADILENE ROSA
440092	62	FERNANDO ESPIRIDION	492704 62	HUGO REYES
440093	62	MACRINA IGNACIO	492705 62	CLAODOVEO GUZMAN
441709	62	ANGELICA ALMAZAN	492715 62	RIGOBERTO RODRIGUEZ
442881	62	JAVIER RAMIREZ	492720 62	ANTONIO JACOME
443022	62	ALEJANDRA AMBROCIO	492722 62	EDUARDO RODRIGUEZ
443298	62	GENARO GOMEZ	492770 62	L GREGORIO GARCIA

LFC Agricultural Services, Inc

Hire Act Tax Credit

492779 62	JUAN GARCIA	536034 62	MARCOS SANCHEZ
492831 62	LEONEL FLORES	536082 62	MAGDA LOUIS
492834 62	JOSE PEREZ	536088 62	JEAN LAZARRE
492835 62	REYMUNDO FRADO	536092 62	HENRI JOSEPH
492840 62	ERACLIO MEJIA	536093 62	JOSUE VICTOR
502680 62	JOSE RAMOS	536094 62	CLAUDETTE JOSEPH
502687 62	BLANCA LOPEZ	536095 62	MIRANA BACE
502788 62	EVANS MANASSE	536096 62	GENEVIEVE BASTIEN
502792 62	SAUL PEREZ	536097 62	EMMANIE RIPHIN
510047 62	CAMERINO SOLIS	536098 62	ANICE TOUSSAINT
510300 62	JUAN CORREA	536102 62	MARIO PULIDO
514023 62	SAMUEL MORALES	536113 62	ERIC DORMEUS
514405 62	DAVID GARCIA	536119 62	VILMA TORRES
515559 62	ROSA VERDUGO V	541523 62	MATEO RUIZ
515899 62	JUAN HERNANDEZ	541802 62	DOMINGA FLORES
516402 62	FREDERICK BRUCE JR	542211 62	NERY GOMEZ
517361 62	ADRIAN QUEZADA	542535 62	ANGEL SANCHEZ
521138 62	JOSE ARIZMENDI	543149 62	REYNALDO VILLALON
522454 62	PAULA GARIDO	544165 62	NORBERTO FLORES
522873 62	ALICIA ANTUNES	544665 62	MARIA ANGEL
532973 62	YOLENE GERMAIN	544859 62	IRMA GOMEZ
533591 62	MARIA MARTINEZ	545026 62	JUAN ABELLA
534083 62	JOSE MERIDA	545068 62	LEOCADIO GUZMAN
534086 62	PEDRO LOPEZ	545235 62	CRISTIAN MARTINEZ
534088 62	ARNOLDS VELASQUEZ	545324 62	EMILIO JUAREZ
534181 62	RENE ESPINOZA	545418 62	MIGUEL LOPEZ
534204 62	DANIEL ESCOBAR	545717 62	ANTONIO GOMEZ
535416 62	MARVIN GOMEZ	546092 62	ANTONIO CLIMACO
535891 62	MOISES CHIPAHUA	546093 62	FILBERTO CLIMACO

LFC Agricultural Services, Inc

Hire Act Tax Credit

546099 62	MARIANO SANTIZO	572334 62	JUAN DOMINGO
546103 62	RAMON GOMEZ	572348 62	FERNANDO PEREZ
546137 62	CARLOS JIMENEZ	572355 62	NOE RAFAEL
546150 62	JOSE NUNEZ	572371 62	JESUS AMBROCIO
546171 62	EUSEBIO HERNANDEZ	572372 62	ANDRES JUAN
546207 62	OSCAR ESCALANTE JR	572387 62	ESTEBAN PEREZ
546210 62	WALTER GOMEZ Z	572392 62	SAUL LOPEZ
546222 62	MOISES HERNANDEZ	572394 62	PEDRO SANTOS
546237 62	DAMIAN VELAZQUEZ	641705 62	FRANCISCO MORENO
546445 62	JOSE GARCIA	655260 62	PABLO RUFINO
546457 62	MARTIN DEJESUS	656122 62	IGNACIO M
546459 62	GUADALUPE GUTIERREZ	656154 62	LETICIA R
546517 62	ROGELIO SANTIZO	657021 62	GUDELIA GARCIA
546533 62	JULIO HERNANDEZ	657552 62	ANTONIA CRUZ
546610 62	EUGENIO RAMIRES	658146 62	LEYDER GUILLEN
546765 62	BRAYAN MORALES	658412 62	FELIX RODRIGUEZ
546889 62	REMIJO C	658417 62	TOMAS SANCHEZ
546900 62	DAMIAN HERNANDEZ	658418 62	JUAN LOPEZ
572178 62	ROSALIO TECUM	658438 62	RAMON PEREZ
572181 62	CASSANDRA RAMIREZ	658466 62	NICANOR OLAN
572185 62	LEONARDO LOPEZ	658474 62	ALEJANDRO LUNA
572188 62	SERGIO VILLEDA	658496 62	AURELIO MORALES
572189 62	MARCELINO ANTONIO	658544 62	FRANCISCO GOMEZ
572209 62	ELMER LOPEZ	658563 62	CARLOS MARTINEZ
572284 62	EVERARDO CHONTECO	658600 62	ARNOLDO LOPEZ
572303 62	ABEL CRUZ	658661 62	MARIA NAVA
572309 62	LUIS PACHECO	658706 62	ATILANO GARCIA
572321 62	JOSE DOMINGO	658707 62	JOSE SANCHEZ
572329 62	ANTONIO RAMIREZ	658715 62	MIGUEL MEJIA

LFC Agricultural Services, Inc

Hire Act Tax Credit

658734 62	BAYRON GALINDO	860014 62	FERNANDO MAYA
658739 62	RUBEN MENA	860052 62	LUIS GUZMAN
658745 62	JULIO SOSA		
750861 62	LUCIANO R		
751216 62	MIGUEL BAUTISTA		
812526 62	CRISTINA FUENTES		
812702 62	TERRY DOCKERY		
812739 62	EFIGENIA ORTIZ		
812762 62	PASCUAL NUCAMENDI		
812785 62	CARMEN LOPEZ		
812787 62	MARIA PEREZ		
812790 62	SILVIA REYES		
812796 62	ROSALINDA SILVA		
858054 62	JOSE ALONSO		
858362 62	MARCOS GOMEZ		
858480 62	RUBELI LEON		
858857 62	DELFINA RUIZ		
859728 62	MARCIAL HERNANDEZ		
859729 62	TELESFORO LORENZO		
859793 62	ALEJANDRO REYEZ		
859815 62	MIGUEL CHAN		
859835 62	MARIO MORALES		
859860 62	ROCAEL LOPEZ		
859972 62	REYNALDO LOPEZ		
859974 62	MIGUEL LARA		
859975 62	PEDRO SALINAS		
859983 62	ANGEL HERNANDEZ		
859998 62	FIDEL MORALES		
860005 62	HIGINIO HERNANDEZ		